

255-173-00

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

JENNIFER LOUISE JENKINS,)	
Administrator <i>ad Litem</i> of the)	
ESTATE OF STERLING L. HIGGINS)	
)	
<i>Plaintiff,</i>)	
v.)	No. 20-cv-01056 STA-atc
)	
OBION COUNTY, TENNESSEE;)	
UNION CITY, TENNESSEE;)	
ROBERT THOMAS OSBORNE, Individually;)	
MARY BROGLIN, Individually;)	
WAYLON SPAULDING, Individually; and,)	
BRENDON SANFORD, Individually)	
)	
<i>Defendants.</i>)	

JOINT MOTION FOR CONFIDENTIAL MINOR SETTLEMENT APPROVAL

Plaintiff Jennifer Louise Jenkins, Administrator *ad Litem* of the Estate of Sterling L. Higgins, and Defendants Obion County, Tennessee, Waylon Spaulding, Mary Broglin, and Brendon Sanford (collectively referred to as the “Obion County Defendants”) move this Court to file their joint petition for minor settlement under seal. In support of this motion, the parties state as follows:

1. Plaintiff and the Obion County Defendants participated in an arms-length mediation on December 1, 2022, at which they reached a tentative settlement of all claims for injuries and damages Plaintiff has alleged against the Obion County Defendants.
2. Because two of the beneficiaries of the settlement proceeds are the decedent’s minor children, the settlement is subject to court approval.

3. Previously, Plaintiff and Defendant Orsborne reached a tentative settlement. After they did so, they moved the Court to allow their joint petition for minor settlement and proposed settlement agreement be filed under seal. Because minor beneficiaries are involved, the Court agreed that there was a compelling reason to allow the settlement agreement to be filed under seal. (ECF No. 154).
4. Now that Plaintiff and Obion County Defendants have reached a tentative settlement, they too ask this Court to allow them to file their joint petition for minor settlement under seal. As noted by this Court when considering Plaintiff and Orsborne's prior motion, there is sufficient private interest to warrant sealing the settlement agreement due to concerns "for the welfare of the minor and impaired adult beneficiaries of the settlement agreement, specifically the plaintiffs' concern that the beneficiaries might be exploited if the financial benefit of the settlement became widely known, provided a sufficient private interest to warrant sealing the terms of the settlement agreement." (ECF No. 154, quoting *Davis v. Alcoa, Inc.*, 2019 U.S. Dist. LEXIS 132603 (E.D. Mich. June 10, 2019)).

Premises considered, Plaintiff Jennifer Louise Jenkins, Administrator ad Litem of the Estate of Sterling L. Higgins, and Defendants Obion County, Tennessee, Waylon Spaulding, Mary Brogglin, and Brendon Sanford move this Court to all the parties to file their joint petition for minor settlement under seal.

Respectfully submitted,

PENTECOST, GLENN & TILLY, PLLC

s/Nathan D. Tilly

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Attorneys for Plaintiff

CERTIFICATE OF CONSULTATION

The undersigned consulted with Defendant Orsborne's counsel via email, who confirmed Defendant Orsborne does not oppose the request sought herein.

s/Nathan D. Tilly
Nathan D. Tilly

CERTIFICATE OF SERVICE

I hereby certify that on this day, I electronically filed an exact copy of the foregoing with the Clerk of Court using the CM/ECF system which will automatically send e-mail notification of such filing to all counsel/parties of record as follows:

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On this the 12th day of December, 2022.

PENTECOST, GLENN & TILLY, PLLC

By: s/Nathan D. Tilly
Nathan D. Tilly